



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/516,430	03/01/2000	Richard W. Cheston	RP9-99-105	3641

7590 10/31/2003

BRACEWELL & PATTERSON, L.L.P.
INTELLECTUAL PROPERTY LAW
P.O. BOX 969
AUSTIN,, TX 78767-0969

EXAMINER

VAUGHAN, MICHAEL R

ART UNIT	PAPER NUMBER
----------	--------------

2131

DATE MAILED: 10/31/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

PLH

Office Action Summary	Application No.	Applicant(s)	
	09/516,430	CHESTON ET AL.	
	Examiner	Art Unit	
	Michael R Vaughan	2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 March 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 March 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>2</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1-23 have been examined and are pending.

Information Disclosure Statement

An initialed and dated copy of Applicant's IDS form 1449, Paper No. 2, is attached to the instant Office action.

Drawings

Formal drawings are required in response to the instant Office action.

The drawings are objected to because:

FIG(s) 2A and 2B fail to comply with CFR 1.84(g) and 1.84(l).

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC ' 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2131

Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moy in view of (USP 5,425,102) in view of Guthrie et al (USP 6,161,185).

As per claims 1 and 12, Moy teaches prior to said client computer system completing a boot process:

Prompting a user to enter said primary password (FIG. 3);

Providing an interrogative password method in response to an incorrect entry of said primary password, said primary password being recoverable by said client computer system utilizing said interrogative password method prior to said client computer system completing said boot process (column 2, lines 10-35).

Moy is silent in expressly disclosing a server recovering a primary password. Guthrie teaches a server recovering a primary password for a client [57]. It would have been advantageous for a server to control password distribution because servers are typically more secure than client stations. Servers are easily accessible to network administrators and have access over the clients. The ability to recover a password at the server would relieve an administrator from having to visit each client in the advent of needing to recover a password.

In view of this, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the teaching of Guthrie within the system of Moy because it would save on the time needed to get a client back up and operational. One skilled in the art would have been motivated to generate the claimed invention with a reasonable expectation of success.

As per claims 2 and 13, Moy teaches the step of providing said interrogative password method including a question and correct answer pair (column 2, lines 10-35).

As per claims 3 and 14, Moy teaches further comprising the step of recovering said primary password from said server computer system in response to a successful completion of said interrogative method (column 2, line 35).

As per claims 4 and 15, Moy teaches displaying said question included within said interrogative method utilizing said client computer system in response to an incorrect entry of said primary password

Art Unit: 2131

(column 2, lines 10-35) and prompting a user to enter an answer to said question, wherein an entry of said correct answer will successfully complete said interrogative method (column 2, lines 10-35).

As per claims 5 and 16, Moy teaches establishing a unique client identifier (column 4, lines 19-27) and storing said questions and said correct answer together with user identifier in memory. Moy is silent in expressly disclosing storing said question and said correct answer together with said unique client identifier in said server. Guthrie teaches storing said password with said unique client identifier in said server (claim 13). The examiner supplies the same rationale for the motivation as recited in the rejection of claim 1 to incorporate a server within the system of Moy.

As per claims 6 and 17, Moy teaches transmitting a request for said question utilizing said client computer system in response to an incorrect entry of said primary password, said request including said unique client identifier (column 2, lines 20-31). Moy is silent in expressly disclosing transmitting the question utilizing said server computer system in response to a receipt of said request. Guthrie teaches utilizing said server computer system in response to a receipt of said request (column 4, lines 15-23). The examiner supplies the same rationale for the motivation as recited in the rejection of claim 1 to incorporate a server within the system of Moy.

As per claims 7 and 18, Moy teaches transmitting a proposed answer to said question utilizing said client computer system to determine whether said proposed answer is correct (column 2, 20-31). Moy is silent in expressly disclosing utilizing said server to determine whether said proposed answer is correct. The examiner supplies the same rationale for the motivation as recited in the rejection of claim 1 to incorporate a server within the system of Moy.

As per claims 8 and 19, Moy teaches the step of prior to executing said interrogative password method, permitting a user to initially supply said questions and correct answer pair (column 4, lines 65-67).

As per claims 9 and 20, Moy teaches the step of prohibiting access to said client computer system by prohibiting transmission of said primary password in response to said proposed answer being unequal to said correct answer (column 4, lines 52-55).

Art Unit: 2131

As per claims 10 and 21, Moy teaches the step of completing said boot process in response to said client computer system receiving said primary password from said server (column 4, lines 59-60).

As per claims 11 and 22, Moy is silent in expressly disclosing the step of encrypting transmissions between client and server utilizing an encryption key pair method. Moy discloses the importance of using an encryption key pair to insure the security of data (column 1, lines 37-53). Encrypting data prevents the data from easily being read in the advent of it being intercepted or stolen. Therefore, it would be advantageous to encrypt all sensitive data. Guthrie teaches the step of encrypting transmissions between client and server (column 3, lines 10-12). In view of this, it would have been obvious to one of ordinary skill in the art at the time the invention was made to employ the teaching of Guthrie within the system of Moy because it would allow the server to client to communicate without sending any plaintext, thus improving the security of the system. One skilled in the art would have been motivated to generate the claimed invention with a reasonable expectation of success.

As per claim 23, refer to the rejections of claims 12-22 to reject all of the limitations of claim 23.

Remarks

No claim is allowed.

Art Unit: 2131


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael R Vaughan whose telephone number is 703-305-0354. The examiner can normally be reached on M-F 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 703-305-9648. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

MV
Michael R Vaughan
Examiner
Art Unit 2131


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100